IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

WP(C).No. 6511 of 2006(A)

PETITIONER:

PULLODAN MUHAMMED, S/O. SOOPIKUTTY,
PULLODAN HOUSE, KADANNAMANNA, MALAPPURAM DISTRICT.

BY ADV. SRI. BABU S. NAIR

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR, MALAPPURAM.**

2. **THE SENIOR ENVIRONMENTAL ENGINEER,**
   KERALA STATE POLLUTION CONTROL BOARD, MALAPPURAM.

3. **THE GEOLOGIST,**
   DEPARTMENT OF MINING AND GEOLOGY,
   MANJERI, MALAPPURAM DISTRICT.

4. **THE SUB INSPECTOR OF POLICE,**
   PERINTHALMANNA POLICE STATION, MALAPPURAM DISTRICT.

5. **GOPALANKUTTY,**
   POOKKATH HOUSE, NADIPPARA, KADANNAMANNA,
   MALAPPURAM DISTRICT.

6. **SIVAN, S/O. NAVU (LATE),**
   KOONAMMOOCHI PARAMBU, KADANNAMANNA,
   MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON
SRI. BABU JOSEPH KURUVATHAZHA,SC,POLU.C.
GOVERNMENT PLEADER SMT. K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 6511/2006(A)

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1 : COPY OF THE REPRESENTATION ADDRESSED TO THE FIRST RESPONDENT DATED 18.2.2006 BY THE PETITIONER AND THE OTHER RESIDENTS IN THE AREA.

EXT. P2 : COPY OF THE ACKNOWLEDGMENT ISSUED BY THE FIRST RESPONDENT SHOWING THE RECEIPT OF EXHIBIT P1.

6TH RESPONDENT'S EXHIBITS:

EXT. R6(A) : COPY OF THE CERTIFICATE ISSUED BY THE SENIOR GEOLOGIST TO THE 6TH RESPONDENT DATED 2.12.2005.

EXT. R6(B) : COPY OF THE CERTIFICATE ISSUED BY THE DY. CHIEF CONTROLLER OF EXPLOSIVES TO THE 6TH RESPONDENT DATED 2.11.2005.

EXT. R6(C) : COPY OF THE PAPER PUBLICATION IN DESABHIMANI DAILY DATED 26.7.05.

// True Copy //

P.A. to Judge.

smp

KURIAN JOSEPH, J.

W.P. (C). NO. 6511 OF 2006

Dated this the 28th day of September, 2007.

J U D G M E N T

This writ petition is filed with the following prayer:

> i) Issue a writ of mandamus or any other appropriate writs, orders or directions commanding the respondents 1 to 4 to stop the illegal quarrying operations conducted by the respondents 5 and 6, forthwith.

2. It is seen that the petitioner has approached the first respondent as per Exhibit P1. According to respondents 5 and 6, they conduct the quarry only after complying with the legal formalities.

In case the petitioner has still any grievance, he may produce a copy of this judgment before the respondents 1 to 3, in which case, the grievance of the petitioner will be duly considered by the said respondents with notice to the petitioner and respondents 5 and 6 and any other affected party, and appropriate orders in accordance with law in the matter will be passed within a period of another four months.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp